IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION No. 4794 of 1999

Between:

S.A.Subhan, S/o. Dadashaeeb,
R/o. H.No. 8-3-231/435/D/A, Sri Krishna Nagar,
Yosufguda, Hyderabad-45.

..... PETITIONER

AND

1 The General Manager, Staff and personnel,
Head Office, Andhra Bank, Secretarit road,
Hyderabad.
2 THe Deputy Chief officer, Staff Welfare Department,
Andhra Bank, Head Office, Secretariat Road,
Hyderabad.
3 Regional Manager, Regional office,
Andhra Bank, Bimavaram.
4 The Branch Manager, Main Branch,
Andhra Bank, Bimavaram,
West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ , order , direction, more particularly one in the nature of Writ of MANDAMUS or any other appropriate Writ, declaring the action of the respondents in not paying the petitioner his lawful dues of benefits to the tune Rs. 4,63,138-90 as illegal, arbitrary and violative of Article 14 and 21 of the Constitution of India and the petitioner further prays consequently that this Hon'ble Court may be pleased to direct the respondents to pay the petitioner forthwith the amount of Rs. 4,63,138-90/-due to be paid to him along with interest by the Respondent Bank.

Counsel for the Petitioner: MR.N.GURUGOPAL & S.R.SANKU

Counsel for the Respondent Nos.1 to 4 MR.NUTY RAM MOHAN RAO

The Court made the following:

ORDER:

Except the facts, no questions of law, required to be decided or resolved by this Court are raised in this writ petition. The petitioner's claim is in the nature of claiming arrears on different counts from the respondent Bank. If this is so, it is for the petitioner to work out his remedies as available under law before any fact-finding Court. The matter, as such, cannot be decided in this writ petition under Article 226 of the Constitution of India.

Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to approach the Labour Court and work out his remedies available under the law, and on filing such claim petition, it is for the Labour Court to entertain the same and decide the issues on merits in accordance with law. No order as to costs.

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C.V.RAMULU,J

Dated: 11.07.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The General Manager, Staff and Personnel,

Head Office, Andhra Bank, Secretariat Road,

Hyderabad

2. The Deputy Chief Officer, Staff Welfare Department,

Andhra Bank, Head Office, Secretariat Road, Hyderabad

3. The Regional Manager, Regional Office,

Andhra Bank, Bhimavaram

4. The Branch Manager, Main Branch,

Andhra Bank, Bhimavaram, West Godavari District

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